

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Joseph C. Kurian et al.

Serial No.: 10/533,872

Filed: May 5, 2005

Title: INTELLIGENT DATA MANAGEMENT SYSTEM AND METHOD

Docket No.: 38248

DECLARATION OF JOHN HARRIS

Mail Stop PCT
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450


Dear Sir:

I, John Harris, being duly sworn and having knowledge of the facts set forth herein, depose and say that:

1. I am a Canadian patent attorney representing AlphaGlobal IT Inc., a Canadian company.
2. On December 12, 2005 I sent a letter to Mr. Homayoun Najjaran by Registered Mail, in which the following items were enclosed:
 - i. a complete copy of the above-identified patent application including specification, claims, abstract and drawings; and
 - ii. a Declaration and Power of Attorney form for Mr. Najjaran's signature.
3. In my letter, copy attached as Exhibit 1, I requested Mr. Najjaran to review the entire application, and then to execute and return the Declaration and Power of Attorney form to me, by fax or mail, no later than January 23, 2006.
4. On January 25, 2006, I received back the letter I sent to Mr. Najjaran marked "Return to Sender." A copy of the front of the returned envelope, in which my letter and the above documents were enclosed, is attached hereto as Exhibit 2.
5. Also attached, as Exhibit 3, is a page printed from the Canadian Post

Office website, www.canadapost.ca, showing the history of this envelope and its contents while in the custody of the Canadian Post Office. As seen in Exhibit 3, delivery was attempted on December 21, 2005. Failing delivery, a card was left at the delivery address providing instructions for picking up the envelope at the local post office. The envelope and its contents were then returned to the local post office to await pick-up as a "carded item," referring to the card left at the delivery address.

6. As also seen in Exhibit 3, on January 24, 2006, over one month after delivery was attempted and the card was left, the envelope still had not been picked up at the post office. The next day, the envelope was returned to me as undeliverable.
7. Mr. Najjaran's failure to pick up the package, and consequent refusal to join in the present application, was not unexpected. His employment with AlphaGlobal IT Inc. had already been terminated, and through information and belief he had become hostile toward the company.
8. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the present application or any patent issued thereon.



John Harris
Canadian Patent Attorney

6 Feb. 2006.
Date

GOWLINGS

Suite 2600
160 Elgin Street
Ottawa, Ontario
Canada K1P 1C3
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December 12, 2005

BY REGISTERED MAIL

John D. Harris
Direct (613) 786-8671
john.harris@gowlings.com

Mr. Homayoun Najjaran
666 Spadina Avenue, Apt. 409,
Toronto, Ontario
M3B 2W7

Dear Mr. Najjaran:

Re: AlphaGlobal IT Inc.
United States Patent Application 10/533,872 Filed November 3, 2003
Intelligent Data Management System and Method

Further to my letter of October 31, 2005, I am writing to you once again as a named inventor for the patent application captioned above, to ask you to join in the application.

Enclosed herewith is a complete copy of the above-captioned patent application as-filed, including specification, claims, drawings and abstract. Also enclosed is a Declaration and Power of Attorney form necessary to prosecute this application in the United States.

Please review the enclosed complete application, and then execute (sign and date) the enclosed Declaration and Power of Attorney form where indicated by your name. Leave the spaces for the other inventors blank.

Please then return the fully executed Declaration and Power of Attorney form to me at the above address as soon as possible, but not later than January 23, 2006. If you prefer, you may fax the fully executed documents by that date, and then return the signed originals via regular mail in due course.

Yours very truly,



John D. Harris
JDH:cw
enclosure

EXHIBIT I

454

J. HAREIS
PATIS.

D185

GOWLINGS

Suite 2600
160 Elgin Street
Ottawa, Ontario
K1P 1C3

File # 08895682US

Registered Recommandé



RT 865 196 997 CA

RT 865 196 997 CA

RT 865 196 997 CA



☒ Signature Required
Signature requise

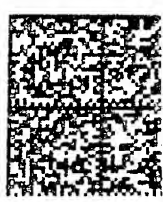
Sender warrants that this shipment does not contain dangerous goods.
L'expéditeur garantit que cet envoi ne contient pas de matières dangereuses.

Mr. Homayoun Najarian
666 Spadina Avenue, Apt. 409,
Toronto, Ontario
M5B-2W7

M5B-2W7

RETURN TO SENDER
REVOIR A L'EXPEDITEUR

<input checked="" type="checkbox"/>	Unclaimed Non réclamé
<input checked="" type="checkbox"/>	Address incomplete Adresse incomplète
<input checked="" type="checkbox"/>	Address incorrect Adresse incorrecte
<input type="checkbox"/>	Address unknown Adresse inconnue
<input type="checkbox"/>	Postage insufficient Pas assez de timbres
<input type="checkbox"/>	Refused by addressee Refusé par le destinataire



PB031 17226
003956 IM:
1216 1631

POST CANADA
07.95
K2P 2G4 2005.12.16

EXHIBIT 2

2/11/05
10:30 AM
454

Track a Package

Help Exit

Detailed Item Information

Go Back

Next Step

Item Number: RT865196997CA

Product Type: Registered Mail

Date of Event	Time of Event	Location	Description	Retail Location	Signatory Name
2006/01/25	10:04	OTTAWA, ON	Successfully returned to sender		
2006/01/25	10:04		Signature image recorded for Online viewing		ROBERTSON
2006/01/25	08:11	OTTAWA, ON	RTS out for delivery		
2006/01/24	14:26	TORONTO, ON	Item being returned to Sender, determined as undeliverable		
2005/12/21	15:10	TORONTO, ON	Item has been received at the Post Office for pick up as a carded item		
2005/12/21	14:26	TORONTO, ON	Item has been received at the Post Office for pick up as a carded item	WALMER PLACE P.O.	
2005/12/21	PM	TORONTO, ON	Attempted delivery. A delivery notification card was left with pick-up details		
2005/12/21	09:22	TORONTO, ON	Item out for delivery		
2005/12/16	16:40	OTTAWA, ON	Item accepted at the Post office		

► Email This Page ?

► View Delivery Confirmation Certificate (PDF) ?



Shipping Options and Features for this Item:

Signature Required

If you require assistance, please click the question marks (?) next to the fields on your screen (where available), or visit the help section by clicking the **Help** button on the upper-right of your screen.

Canada

Legal, Copyright, Privacy & Security

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From
anywhere...
to anyone

Exhibit 3